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OFFICE OF PETITIONS

In re Application of :
Tadahiro Ohmi, et al. :
Application No. 10/049,499 : **DECISION ON PETITION**
Filed: June 21, 2002 :
Attorney Docket No. 8075-1056 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed September 8, 2006, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue and publication fees on or before March 13, 2006, as required by the Notice of Allowance and Fee(s) Due, mailed December 13, 2005. Accordingly, the date of abandonment of this application is March 14, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1400, (2) the petition fee of \$1500; and (3) an adequate statement of unintentional delay.

37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to April Wise at (571) 272-1642.

This application is being referred to Publishing Division for processing into a patent.



Irvin Dingle

Petitions Examiner
Office of Petitions